

REMARKS

Claims 48 and 126 are pending in this application. No claim has been allowed.

The Office has requested a election to one of the following species under 35 U.S.C. § 121: gamma interferon, IL-12, or anti-IL-4 antibodies. Applicants hereby elect anti-IL-4 antibodies without traverse. Claims 48 and 126 read on the elected species. Applicants request that, upon allowance of a generic claim, the remainder of the species be included as permitted by 37 C.F.R. § 1.141(a).

Applicants expressly reserve their right under 35 U.S.C. § 121 to file a divisional application directed to the nonelected subject matter during the pendency of this application, or an application claiming priority from this application.

Applicants request examination of the elected subject matter on the merits.

CONCLUSION

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 549172000112. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: June 16, 2003

By:



Laurie L. Hill, Ph.D.
Registration No. 51,804

Morrison & Foerster LLP
3811 Valley Centre Drive, Suite 500
San Diego, California 92130
Telephone: (858) 720-7955
Facsimile: (858) 720-5125